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April 7, 2003

Commissioner of Patents Washington, D.C. 20231

ATTENTION: Alexander S. Thomas Group Art Unit 1772

> RE: Applicant: Thomas Paul Downs Application Number: 09/909/087

> > Filed: July 20, 2001

Confirmation Number: 0884

For: Protective Divider and Enclosure Disc Assembly

Dear Alexander,

Respectfully, in compliance with your Office Action dated: 3/20/2003 and my Telephone Interview with you dated: 3/27/2003 I have enclosed the following:

A summary of our Telephone Interview is disclosed.

Claim 1 is amended on pages 3-4 to clearly display a claim for the Protective Disc in compliance with 35 U.S.C. 112.

Enclosed are Notarized copies of an invoice from Gunold dated 9/22/99 and a letter from Gunold dated 4/4/03 describing the best Pelon like material the protective disc is comprised of in compliance with 35 U.S.C. 103 (a).

Very truly yours,

Thomas Paul Downs

## In our Telephone Interview

We first talked about number 2 of page 2 in your Office Action of March 20, 2003 in regard to the ambiguity of Claim 1 that resulted because of the Division of the Claims.

I agreed with your respectful, suggestion to correct this ambiguity by deleting the first mentioned phrase in Claim 1 as seen in my Amendment on page 3-4 of this response.

Then we talked about the references cited in regard to number 4-5 of page 3 in your Office Action of March 20, 2003 with respect to the references cited: Downs, Drew and Landin et al.

In regard to the Terrence Martin Drew patent as an Assignee of Case Logic, Inc., we agreed that this patent is not a protective disc in reference to my current application and my patent in the prior art. We agreed that the Drew patent is an envelope. Case Logic is marketing this product with Polyester as a protective material. Polyester material can not be used to clean a laser disc. The Polyester material will scratch a laser disc with any rubbing or contact to its edges.

The Pelon like material Totally Stable 2095 used in my current application will not scratch a laser disc under five pounds of pressure. The edges of the Pelon like material will not scratch a laser disc. However, thinner Pelon like material will scratch a laser disc.

In regard to the Landin et al patent we both agreed that the: Internally Damped Rotable Storage Article of Donald T. Landin is not a protective disc or a protective storage device. This patent is an audio and optical recording device with a built-in damping to prevent vibration.